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EXAMINER
JOSEPH, TONYA S

ART UNIT	PAPER NUMBER
3628	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/629,295	BACON ET AL.
	Examiner	Art Unit	
	Tonya Joseph	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04/17/2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27</u> is/are pending in the application.

4a) Of the above claim(s) <u>1-9</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>10-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   Claims 10, 16, 19 and 25 have been amended. Claims 1-9 have been previously

withdrawn. No claims have been cancelled. Thus, claims 10-27 are presented for

Examination.

Response to Amendment

2.   Applicant's amendment of claims 10, 16 and 25 overcomes the rejection under

112 2nd paragraph. Thusly, the rejection is withdrawn.

Response to Arguments

3.   Applicant's arguments filed 04/17/2007 have been fully considered but they are

not persuasive.

4.   Applicant argues with respect to claim 10 that Gonyea does not describe a server

configured to receive at a database, component inspection data from a user from a pre-

identified component. Examiner notes Gonyea does teach a server configured to

receive at a database, component inspection data from a user from a pre-identified

component (para. 13 lines 5-8; para. 31 lines 6-10 and para. 46 lines 6-8). Applicant

asserts that Gonyea does not teach a server configured to prompt a user to input a pre-

determined component operating forecast into the database. These teachings can be

found in Gonyea (para. 13 lines 5-8; para. 26 lines 6-10 and Fig. 5).

5.   Applicant further asserts with respect to claim 10 that Gonyea does not describe

nor suggest a network based system for maintaining at least one component, as is

recited in Claim 10. In response to applicant's arguments, the recitation, a network

based system for maintaining at least one component has not been given patentable

weight because,the recitation occurs in the preamble. A preamble is generally not

accorded any patentable weight where it merely recites the purpose of a process or the

intended use of a structure, and where the body of the claim does not depend on the

preamble for completeness but, instead, the process steps or structural limitations are

able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and

Kropa v. Robie, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

6.   Applicant further argues with respect to claim 1 that, Gonyea does not describe

nor suggest a server that is configured to analyze component maintenance information

which includes component inspection data. Examiner notes these teachings can be

found in para. 27 lines 22-34. Applicant further argues Gonyea does not teach, generate

a financial report based on the component maintenance information including the

component inspection data. In response to applicant's argument that the references fail

to show certain features of applicant's invention, it is noted that the features upon which

applicant relies (i.e., *generating a financial report based on the component*

maintenance information including the component inspection data.) are not recited

in the rejected claim(s). Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van Geuns*, 988

F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7.   Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount

to a general allegation that the claims define a patentable invention without specifically

pointing out how the language of the claims patentably distinguishes them from the references.

8.   Applicant argues with respect to claim 19 that Gonyea does not describe nor suggest a computer program embodied on a computer readable medium for maintaining at least one component, as is recited in Claim 19. In response to applicant's arguments, the recitation a computer program embodied on a computer readable medium for maintaining at least one component, has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

9.   Applicant further argues with respect to claim 19 that Gonyea does not describe nor suggest a program that prompts a user to input a pre-determined component operating forecast into the database. Examiner notes, Gonyea does teach a program that prompts a user to input a pre-determined component operating forecast into the database (para. 13 lines 5-8; para. 26 lines 6-10 and Fig. 5). Applicant further argues that Gonyea does not describe nor suggest a program that analyzes component maintenance information which includes component inspection data. Examiner notes these teachings can be found in Gonyea para. 27 lines 22-34. Examiner further notes: Applicant's un amended claim recites the analysis of component inspection data *in the*

alternative only. Applicant further argues that Gonyea does not describe nor suggest

a program that generates a financial report based on the component maintenance

information including the component inspection data. In response to applicant's

argument that the references fail to show certain features of applicant's invention, it is

noted that the features upon which applicant relies (i.e., *generating a financial report*

based on the component maintenance information including the component

inspection data.) are not recited in the rejected claim(s). Although the claims are

interpreted in light of the specification, limitations from the specification are not read into

the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

10.   Applicant argues with respect to claims 12, 15-16, 21 and 24-25 that Examiner's

Official Notice of determining a discount to a customer for replacement costs and

vendor fees is improper. Examiner notes that Applicant's attempt to challenge the

Examiner's taking of Official Notice has not provided adequate information or argument

so that on its face it creates a reasonable doubt regarding the circumstances justifying

the Official Notice. However, Examiner has cited a variety of references along with this

Office Action to support the reasoning behind using Official Notice and why determining

a discount to a customer for replacement costs and vendor fees would have been

obvious to one of ordinary skill in the art. For example:

- Herz et al [2001/0014868 A1] discloses determining a discount to a customer for
  vendor fees using vendor coupons made available only to selected customers
  The system discloses using a price point determination system or any other
  means to establish a customer discount (para. 279 lines 1-10).

- Tsunoda et al [JP 2002149861 A] discloses determining a customer discount for

  replacement cost. The discount is calculated and presented to continuously

  ordering customers to urge them to order replacement parts early (the Solution of

  Tsunoda lines 15-18). Examiner also submits that the citation of the references

  above added as evidence to substantiate the prior Official Notice statement, does

  not result in a new issue, and therefore this action will be made Final.

- Examiner Notes:

> To adequately traverse such a finding, an applicant
> must specifically point out the supposed errors in the
> examiner's action, which would include stating why
> the noticed fact is not considered to be common
> knowledge or well-known in the art. See 37 CFR
> 1.111(b). See also *Chevenard,* 139 F.2d at 713, 60
> USPQ at 241 ("[I]n the absence of any demand by
> appellant for the examiner to produce authority for his
> statement, we will not consider this contention.").
> If applicant does not traverse the examiner's assertion
> of official notice or applicant's traverse is not
> adequate, the examiner should clearly indicate in the
> next Office action that the common knowledge
> or well-known in the art statement is taken to be
> admitted prior art because applicant either failed to
> traverse the examiner's assertion of official notice or
> that the traverse was inadequate.
> ***See MPEP 2144.03 (d)***

- As such, due to the failure of Applicant to traverse and properly traverse the

  findings of Official Notice in all applicable claims in the Office action mailed

  03/07/2007 and the failure to request documentary evidence, these findings are

  considered admitted prior art.

11.   Applicant further argues that the Official Notice does not describe a server

configured to receive at a database, component inspection data from a user for a pre-

identified component. Moreover, the Official Notice does not describe a server configured to prompt a user to input a pre-determined component operating forecast into the database. Furthermore, the Official Notice does not describe a server that is configured to analyze component maintenance information which includes component inspection data, or generate a financial report based on the component maintenance information including the component inspection data. Examiner notes: In response to applicant's argument that Examiner's Official Notice fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a server configured to prompt a user to input a pre-determined component operating forecast into the database.) are not recited in the rejected claim(s). Furthermore these features are contained in previous claims and have been treated with prior art.

12.   In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

13.   In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was

within the level of ordinary skill at the time the claimed invention was made, and does

not include knowledge gleaned only from the applicant's disclosure, such a

reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA

1971).

14.   Applicant argues with respect to claims 17 and 26 that the rejection is improper

due to the combination of a single prior art reference with mere assertations. Although

Gonyea teaches a component rather that an fleet of components, it would have been

prima facie obvious to one having ordinary skill of the art to incorporate a fleet of

components because the mere duplication of a part of an invention has no patentable

significance unless a new and unexpected result is produced. *In re Harza, 274 F.2d 669,*

124 USPQ 378 (CCPA 1960). Furthermore, because Applicant has not provided evidence

of such a new and unexpected result, this rejection is upheld.

Claim Rejections - 35 USC § 102

15.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16.   Claims 10-11, 13-14, 18-20, 22-23 and 27 are rejected under 35 U.S.C. 102(b)

as being anticipated by Gonyea et al. U.S. Pre-Grant Publication No. 2001/0032109 A1.

17.   As per Claim 10, Gonyea teaches a client system (see para. 13 lines 1-6, para.

14 lines 1-5 and Fig. 1; a centralized database for storing information (see para. 13 lines

13-17 and Fig. 1); a server system configured to be coupled to said client system and

said database said server system (see para. 13 lines 6-17, para. 19 lines 1-4 and Fig. 1)

further configured to: receive, at the database, component operational history data and

component inspection data from a user for a pre-identified component (see para. 46

lines 6-8 and para. 31 lines 6-10, para. 21 lines 1-13 and para. 26 lines 8-10); receive,

at the database, component replacement part costs, component part repair costs, and

vendor service costs associated with the pre-identified component (see para. 22 lines 8-

13 and para. 44); prompt a user to input a pre-determined component operational

forecast into the database (see para. 26 lines 6-10 and Fig. 5);

analyze component maintenance information including component inspection data (see

para. 27 lines 10-34; para. 31 lines 6-10 and para. 32-34) and at least one of

component operational history data, replacement part costs, part repair costs, vendor

service costs, and component operational forecast (see para. 27 lines 9-26); and

automatically generate a financial report including at least one schedule

of component maintenance events and costs associated with each event based on the

component maintenance information analysis (see para. 24 lines 12-20).

18.   As per Claim 11, Gonyea teaches the system of claim 10 as described above.

Gonyea further teaches said server system is configured to receive component

replacement part costs, component part repair costs, and vendor service costs

associated with the identified component from an on-line catalog selected based on the

component identification (see para. 17 lines 4-7; para. 19 lines 4-9; para. 22 lines 3-13 and para. 44, Examiner is interpreting a listed item on the parts list as an identified component. Examiner is further interpreting an online database having lists and files relating to parts list detail as an online catalog).

19.   As per Claim 13, Gonyea teaches the system of claim 10 as described above. Gonyea further teaches, said server system is configured to compute a schedule for maintenance events based on at least one of estimated life of replacement parts, estimated life of repaired parts, component operational history, component operational forecast and a predetermined maintenance event interval (see para. 27 lines 9-16 and para. 31).

20.   As per Claim 14, Gonyea teaches the system of claim 13 as described above. Gonyea further teaches said server system is configured to determine a part repair cycle (see para. 27 lines 27-37).

21.   As per Claim 18, Gonyea teaches the system of claim 10 as described above. Gonyea further teaches said server system is configured to automatically compute the financial charges accrued during the maintenance event using the component replacement part costs, the component part repair costs, and the vendor service costs associated with the maintenance event (see para. 24 lines 12-20 and para. 22 lines 8-13).

22.   As per Claim 19, Gonyea teaches, a computer program embodied on a computer readable medium for maintaining at least one component, said program comprising a code segment that receives, at a database, component operational history data and

component inspection data from a user for a pre-identified component and (see para. 60

and para. 46 lines 6-8 and para. 31 lines 6-10): receives, at the database, component

replacement part costs, component part repair costs, and vendor service costs

associated with the pre-identified component (see para. 22 lines 8-13 and para. 44);

prompts a user to input a pre-determined component operational forecast into the

database (see para. 26 lines 6-10 and Fig. 5); analyzes component maintenance

information including component inspection data (see para. 27 lines 10-34; para. 31

lines 6-10 and para. 32-34) and at least one of component operational history data,

replacement part costs, part repair costs, vendor service costs, and component

operational forecast (see para. 27 lines 9-26); automatically generates a financial report

·including at least one schedule of component maintenance events and costs associated

with each event based on the component maintenance information analysis (see para.

60 and para. 24 lines 12-20).

23.   As per Claim 20, Gonyea teaches the computer readable medium of claim 10 as

described above. Gonyea further teaches said program comprising a code segment that

receives component replacement part costs, component part repair costs, and vendor

service costs associated with the identified component from an on-line catalog selected

based on the component identification (see para. 60 and see para. 17 lines 4-7; para.19

lines 4-9; para. 22 lines 3-13 and para. 44, Examiner is interpreting a listed item on the

parts list as an identified component.. Examiner is further interpreting an online

database having lists and files relating to parts list detail as an online catalog).

24.   As per Claim 22, Gonyea teaches the computer readable medium of claim 19 as described above. Gonyea further teaches said program comprising a code segment that computes a schedule for maintenance events based on at least one of estimated life of replacement parts, estimated life of repaired parts, component operational history, component operational forecast and predetermined maintenance event interval (see para. 60 and para. 27 lines 9-16 and para. 31).

25.   As per Claim 23, Gonyea teaches the computer readable medium of claim 22 as described above. Gonyea further teaches said program comprising a code segment that determines a part repair cycle (see para. 60 and para. 27 lines 27-37).

26.   As per Claim 27, Gonyea teaches the computer readable medium of claim 19 as described above. Gonyea further teaches said server system is configured to automatically compute the financial charges accrued during the maintenance event using the component replacement part costs, the component part repair costs, and the vendor service costs associated with the maintenance event (see para. 60 and para. 24 lines 12-20 and para. 22 lines 8-13).

Claim Rejections - 35 USC § 103

27.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

28.   Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being anticipated by

Gonyea et al. U.S. Pre-Grant Publication No. 2001/0032109 A1 in view of Official Notice

(as supported by Herz et al. U.S. Pre-Grant Publication No. 2001/0014868 A1 and

Tsunoda et al. JP 2002149861).

29.   As per Claim 12, Gonyea teaches the system of claim 10 as described above.

Gonyea further teaches said server system is configured to: determine component

maintenance event contingency fees (see para. 24 lines 12-20, Examiner is interpreting

service costs as contingency fees); Gonyea does not explicitly teach, determine

customer cost discount level for replacement parts and vendor fees. Herz teaches

determine customer cost discount level for vendor fees (see para. 279 lines 1-10).

Tsunoda teaches discloses determine customer cost discount level for replacement

parts (see the Solution of Tsunoda lines 15-18). It would have been prima facie obvious

to one of ordinary skill in the art at the time of invention to modify the system of Gonyea

to include determining customer cost discount level for replacement parts and vendor

fees in order to provide an incentive to a client to use the services of a vendor.

30.   As per Claim 21, Gonyea teaches the computer readable medium of claim 19 as

described above. Gonyea further teaches said program comprising a code segment

that: determines component maintenance event contingency fees (see para. 60 and

para. 24 lines 12-20; Examiner is interpreting service costs as contingency fees);

Gonyea does not explicitly teach, determine customer cost discount level for

replacement parts and vendor fees. Herz teaches determine customer cost discount

level for vendor fees (see para. 279 lines 1-10). Tsunoda teaches discloses determine

customer cost discount level for replacement parts (see the Solution of Tsunoda lines 15-18). It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Gonyea to include determining customer cost discount level for replacement parts and vendor fees in order to provide an incentive to a client to use the services of a vendor.

31.   Claims 15-16, and 24-25 are rejected under 35 U.S.C. 103(a) as being anticipated by Gonyea et al. U.S. Pre-Grant Publication No. 2001/0032109 A1 in view of Official Notice.

32.   As per Claim 15, Gonyea teaches the system of claim 10 as described above. Gonyea further teaches an age of a plurality of parts installed in a component (see para. 20 lines 6-9 and lines 3-5) an age of the component parts in inventory (see para. 27 lines 9-14, Examiner is interpreting a part that has been removed from a component, repaired and then returned to inventory as having a known age). Gonyea does not explicitly teach a user being prompted to input age of a plurality of parts installer in a component and an age of the component parts in inventory. Official Notice is taken that prompting a user to enter data is old and well known in the art of database management. It would have been prima facie obvious to one of ordinary skill in the art at the time of invention to modify the system of Gonyea to include prompting a user to input an age of a plurality of parts installer in a component and an age of the component parts in inventory in order enable a user to keep an accurate record of costs and expenditures. Gonyea further teaches, determines, from the schedule of maintenance events, the age of each of the plurality of installed parts and the age of each of the

plurality of inventory parts at each maintenance event (see para. 27 lines 9-22 and para.

57 lines 4-9); and displays an identification of each part whose age at each scheduled

maintenance event exceeds a pre-determined age (see para. 27 lines 27-37 and para.

28 lines 13-21).

33.   As per Claim 16, Gonyea in view of Official Notice teaches the system of Gonyea

as described above. Gonyea further teaches access a predetermined on-line catalog,

the catalog including new parts costs and parts repair costs and part expected life (see

para. 17 lines 4-7 and para. 19 lines 5-9, para. 22 lines 8-13; para. 24 lines 6-10; para.

27 lines 5-7 and para. 28 lines 5-12, Examiner is interpreting the accessing of an online

catalog and corresponding parts information to be based on the exact maintenance

event as described in para. 28 lines 6-10), Gonyea does not explicitly teach accessing a

predetermined on-line catalog using the frame size and combustion type.

However, these differences are only found to be non-functional descriptive material and

are not functionally involved in the steps recited. The accessing of the identified data

would be the same regardless of the type of identification used to find it. Thus, this

descriptive material will not distinguish the claimed invention from the prior art in terms

of patentability, see *In re Gulack*, 703 F. 2d 1381, 1385, 217 USPQ 401, 404, (Fed. Cir.

1983); *In re Lowry*, 32 F. 3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Gonyea further teaches recommend an inspection interval and an estimate of remaining

parts life (see para. 35 lines 9-10 and para. 27 lines 4-7, Examiner is interpreting the

recommendation to be based on contract information as described in para. 31 lines 6-

10) Gonyea does not explicitly teach recommending an inspection interval and an

estimate of remaining parts life based on the inputted gas component frame size and

combustion type.

However, these differences are only found to be non-functional descriptive material and

are not functionally involved in the steps recited. The recommended inspection interval

and the estimate of remaining parts life would be the same regardless of the type of

identification used to find the already computed information. Thus, this descriptive

material will not distinguish the claimed invention from the prior art in terms of

patentability, see *In re Gulack*, 703 F. 2d 1381, 1385, 217 USPQ 401, 404, (Fed. Cir.

1983); *In re Lowry*, 32 F. 3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

34.   As per Claim 24, Gonyea further teaches, the computer readable medium of

claim 19 as described above. Gonyea further teaches said program comprising a code

segment that: an age of a plurality of parts installed in the component (see para. 20

lines 6-9 and lines 3-5); an age of the component parts in inventory (see para. 27 lines

9-14, Examiner is interpreting a part that has been removed from a component, repaired

and then returned to inventory as having a known age); Gonyea does not explicitly

teach a user being prompted to input this data. Official Notice is taken that prompting a

user to enter data is old and well known in the art of database management. It would

have been prima facie obvious to one of ordinary skill in the art at the time of invention

to modify the system of Gonyea to include prompting a user to input an age of a plurality

of parts installer in a component and an age of the component parts in inventory in

order to keep an accurate record of costs and expenditures. Gonyea further teaches

determines, from the schedule of maintenance events, the age of each of the plurality of

installed parts and the age of each of the plurality of inventory parts at each

maintenance event (see para. 27 lines 9-22 and para. 57 lines 4-9); and displays an

identification of each part whose age at each scheduled maintenance event exceeds a

pre-determined age (see para. 27 lines 27-37 and para. 28 lines 13-21).

35.   As per Claim 25, Gonyea in view of Official Notice teaches the computer

readable medium of claim 24 as described above. Gonyea further teaches said program

comprising a code segment (see para. 60): access a predetermined on-line catalog, the

catalog including new parts costs and parts repair costs and part expected life (see

para. 17 lines 4-7 and para. 19 lines 5-9, para. 22 lines 8-13; para. 24 lines 6-10; para.

27 lines 5-7 and para. 28 lines 5-12, Examiner is interpreting the accessing of an online

catalog and corresponding parts information to be based on the exact maintenance

event as described in para. 28 lines 6-10), Gonyea does not explicitly teach accessing a

predetermined on-line catalog using the frame size and combustion type.

However, these differences are only found to be non-functional descriptive material and

are not functionally involved in the steps recited. The accessing of the identified data

would be the same regardless of the type of identification used to find it. Thus, this

descriptive material will not distinguish the claimed invention from the prior art in terms

of patentability, see *In re Gulack*, 703 F. 2d 1381, 1385, 217 USPQ 401, 404, (Fed. Cir.

1983); *In re Lowry*, 32 F. 3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Gonyea further teaches recommend an inspection interval and an estimate of remaining

parts life (see para. 35 lines 9-10 and para. 27 lines 4-7, Examiner is interpreting the

recommendation to be based on contract information as described in para. 31 lines 6-

10) Gonyea does not explicitly teach recommending an inspection interval and an

estimate of remaining parts life based on the inputted gas component frame size and

combustion type.

However, these differences are only found to be non-functional descriptive material and

are not functionally involved in the steps recited. The recommended inspection interval

and the estimate of remaining parts life would be the same regardless of the type of

identification used to find the already computed information. Thus, this descriptive

material will not distinguish the claimed invention from the prior art in terms of

patentability, see *In re Gulack*, 703 F. 2d 1381, 1385, 217 USPQ 401, 404, (Fed. Cir.

1983); *In re Lowry*, 32 F. 3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

36.   Claims 17 and 26 are rejected under 35 U.S.C. 103(a) as being anticipated by

Gonyea et al. U.S. Pre-Grant Publication No. 2001/0032109 A1.

37.   As per Claim 17, Gonyea teaches the system of claim 10 as described above.

Gonyea further teaches remove selected parts from an inventory (see para. 55 lines 2-7

and para. 56 lines 5-9); repair the component using the selected parts (see para. 57

lines 1-5); automatically orders replacement parts for purchase (see para. 57 lines 11-

12) and replenish the inventory using the replacement parts (see para. 57 lines 12-14).

Gonyea does not explicitly teach said server system is configured to: automatically

compute a projected rotation of component parts through a fleet of components.

However, Gonyea discloses an automatic computation of a projected rotation of

component parts through a component (see para. 55, 56 and 57). Therefore, it would

have been prima facie obvious to one of ordinary skill in the art at the time of invention

to modify the system of Gonyea to include automatically compute a projected rotation of

component parts through a fleet of components in order to accomplish the desired

effect for multiple components.

38.   As per Claim 26, Gonyea teaches the computer readable medium of claim 19.

Gonyea further teaches said program comprising a code segment that (see para. 60);

removes selected parts from an inventory (see para. 55 lines 2-7 and para. 56 lines 5-

9); repairs the component using the selected parts (see para. 57 lines 1-5);

automatically orders replacement parts for purchase (see para. 57 lines 11-12); and

replenishes the inventory using the replacement parts (see para. 57 lines 12-14).

Gonyea does not explicitly teach said server system is configured to: automatically

compute a projected rotation of component parts through a fleet of components.

However, Gonyea discloses an automatic computation of a projected rotation of

component parts through a component (see para. 55, 56 and 57). Therefore, it would

have been prima facie obvious to one of ordinary skill in the art at the time of invention

to modify the system of Gonyea to include automatically compute a projected rotation of

component parts through a fleet of components in order to accomplish the desired effect

for multiple components.

Conclusion

39.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

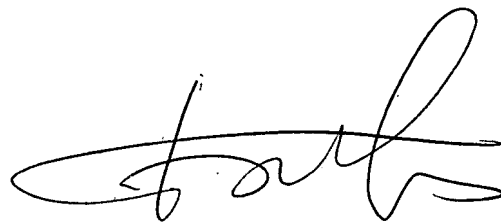than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tonya Joseph whose telephone number is 571-270-

1361. The examiner can normally be reached on Mon-Fri 7:30am-5:00pm First Fridays

off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W. Hayes can be reached on 571 272 0847. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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Tonya Joseph
Examiner
Art Unit 3628

IGOR N. BORISSOV
PRIMARY EXAMINER